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Attorney for DPS Commissioner Macaranas
In his Official Capacity

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN MARIANA ISLANDS**

PAUL MURPHY,

Plaintiff,

v.

Anthony Iglecias Macaranas, in his official
capacity as Commissioner of the Department
of Public Safety of the Northern Mariana
Islands

Defendant.

Civil Action No. 1-24-CV-00012

**MOTION TO DISMISS UNDER
FEDERAL RULES OF CIVIL
PROCEDURE 4, 12(b)(5) & (6)**

Hearing Date: October 31, 2024

Time: 1:30 p.m.

Judge: Chief Judge Manglona

Pursuant to Federal Rule of Civil Procedures 4 and 12(b)(5) & (6), Commissioner Anthony Macaranas in his official capacity as Commissioner of the Department of Public Safety, by and through his attorney of record, Chief Solicitor, J. Robert Glass, Jr., hereby files this Motion to Dismiss.

Plaintiff failed to properly serve Defendant and fails to state a claim upon which relief may be granted.

A Memorandum of Law in support of Defendant's Motion is submitted along with this motion as required by Local Rule 7.1(b).

Respectfully Submitted,

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1 September 24, 2024
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5 CNMI OFFICE OF THE ATTORNEY GENERAL
6 EDWARD MANIBUSAN, ATTORNEY GENERAL

7 By: /s/ J. Robert Glass, Jr.

8 J. Robert Glass, Jr., Bar No. F0523
9 Chief Solicitor

10 Office of the Attorney General
11 Commonwealth of the Northern Mariana Islands
12 Attorneys for the Commonwealth

13 **CERTIFICATE OF SERVICE**

14 I hereby certify that the above and foregoing Motion and Memorandum In Support has
15 been electronically filed on September 24, 2024. Further, I certify that a true and correct copy of
16 the foregoing motion and memorandum will be served upon Plaintiff either through the ECF
17 system or by delivery to his address with a certificate of service filed with the Court.
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19 /s/ J. Robert Glass, Jr.

20 J. Robert Glass, Jr., Bar No. F0523
21 Chief Solicitor

22 Office of the Attorney General
23 Commonwealth of the Northern Mariana Islands
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